IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.7753 of 2005

Sanjay T. Singh & ors. Petitioners
Vs.
Shivshankar Sripal Tiwari & anr. Respondents

Mr.P.S.Dani for petitioners.
Mr.R.R.Mishra for resp.no.1.

CORAM: B.H.MARLAPALLE,J.

August 07, 2006.

P.C.

. Heard Mr.Dani, the learned counsel for the petitioners and Mr.Mishra, the learned counsel for the respondent no.1.

. The respondent no.1 filed an application under Section 41-A of the Bombay Public Trusts Act, 1950 on or about 16/8/2005 and in that application he also prayed for certain interim directions. By the impugned order dated 16/8/2005 the Deputy Charity Commissioner, Pune Region, Pune has allowed the application finally and that too without hearing the present petitioners who were impleaded as opponents in the application filed by the respondent no.1. Even if there was urgency and some ad-interim orders were necessary, the Dy.Charity Commissioner could be justified to pass such orders for short period of one

week or two weeks but disposing off the application without hearing the other parties who were impleaded as opponents was not warranted.

. It is, therefore, directed that the impugned order be treated as ad-interim order and the interim relief application filed by the present respondent no.1 shall be heard and decided afresh after hearing the present petitioners and without being influenced by any observations made in the impugned order, as expeditiously as possible and preferably within a period of four weeks from the receipt of the writ from this Court. Petition disposed off accordingly. Writ to go forthwith to the Deputy Charity Commissioner.

(B.H.MARLAPALLE,J.)